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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,759	12/13/2001	James S. McLean	5633-00100	2531

35617            7590            06/04/2003

CONLEY ROSE, P.C.  
P.O. BOX 684908  
AUSTIN, TX 78768

[REDACTED]  
EXAMINER

LE, HOANGANH T

ART UNIT	PAPER NUMBER
	2821

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>10/022,759</b>	Applicant(s) <b>MCLEAN</b>
Examiner <b>HOANGANH LE</b>	Art Unit <b>2821</b>



*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1)  Responsive to communication(s) filed on Apr 16, 2003.
- 2a)  This action is FINAL.      2b)  This action is non-final.

- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- 4)  Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-21 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a)  All b)  Some\* c)  None of:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a)  The translation of the foreign language provisional application has been received.
- 15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
2. Applicant's election without traverse of claims 1-21 in Paper No. 3 is acknowledged.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 10-15, and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Rodrigues (the US Patent No. 4,922,058).

The Rodrigues reference teaches in figure 5 a conductive member 14 comprising a conductor having a pair of opposed parallel surfaces 22,24 and a convex surface 16 connecting respective first ends of the pair of opposed parallel surfaces to one another. Figure 5 shows an opening formed within the conductor 14 in a direction substantially parallel to that of the opposed parallel surfaces, wherein the opening is adapted to

maintain an insulated wire or cable 12 in a straight orientation within the conductive member when the wire or cable is arranged within the opening. The opening is formed within a portion of the conductor bounded by the convex surface, and wherein a shape of the convex surface follows a shape of a portion of the opening (figure 5). The opening is adapted to maintain, throughout the length of the conductor (figure 2), an inner conductor of the insulated wire or cable within about one millimeter of a fixed lateral position within the opening (figure 5). The opening is adapted to maintain the inner conductor within about 0.25 millimeters of the fixed lateral position (figure 5). Each of the opposed parallel surfaces extends along the length of the conductor, and has sufficient width, along a direction perpendicular to the length of the conductor (figure 2). Figure 5 shows a concave surface 22a,24a arranged opposite the convex surface of the conductor, wherein the concave surface connects respective other ends of the pair of opposed parallel surfaces. The conductor comprises first and second portions joined together, and wherein each of the first and second portions includes a part of the opening (figure 2).

5. Claims 12-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Coleman et al (the US Patent No. 5,001,303).

The Coleman et al reference teaches in figure 1 a conductive member comprising: a monolithic conductor 12 having a pair of opposed parallel surfaces; and a cable guide 28 arranged inside the conductor and oriented in a direction substantially parallel to that

of the opposed parallel surfaces, wherein the guide 28 is adapted to maintain an insulated wire or cable 26 in a straight orientation within the conductive member when the wire or cable is arranged within the guide. The guide is adapted to maintain, throughout the length of the conductor, an inner conductor of the insulated wire or cable within about one millimeter of a fixed lateral position within the guide. The guide is adapted to maintain the inner conductor within about 0.25 millimeters of the fixed lateral position (figure 1). The conductor comprises a first conductive tube 12. The first conductive tube has a rectangular cross-section (figure 1). The cable guide comprises a second tube 28 attached to an inner wall of the first tube. The conductor comprises a conductive bar, and the cable guide comprises an opening formed within the bar (figure 1).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodrigues (cited above) in view of Brune et al (the US Patent No. 5,886,672).

The Rodrigues reference teaches every feature of the claimed invention, excluding a set of holes within the conductor.

The Brune et al reference teaches in figure 4 a set of holes 13 within the conductor 3, wherein each hole is formed through one of the opposed parallel surfaces and directed substantially perpendicular to the opposed parallel surfaces. Each of the holes extends entirely across the conductor, beginning at one of the opposed parallel surfaces and ending at the other of the opposed parallel surfaces. The holes 13 are spaced apart along the length of the conductor with a logarithmically increasing spacing between them, and are thereby adapted for attachment of radiating elements of a log-periodic dipole array antenna (figure 4).

Since one of ordinary skill in the art would recognize the benefit of improving the performance of the conductive member, it would have been obvious to provide the conductive member of Rodrigues with a set of holes as taught by Brune et al.

#### *Correspondence*

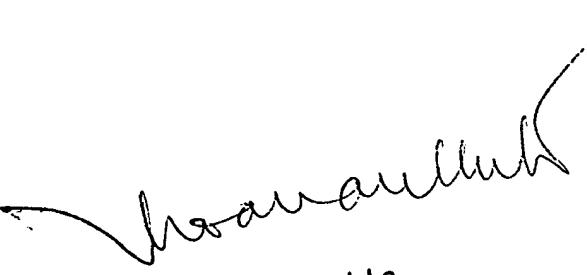
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner Hoanganh Le whose telephone number is (703) 308-4921.
9. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

Application Serial Number: 10/022,759  
Office Action: 1

Art Unit: 2821  
File Paper Number: 4

10. Papers related to Technology Center 2800 applications **only** may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center Fax Center number is *(703) 308-7722 or (703) 308-7724.*

Hoanganh Le  
Primary Examiner  
Art Unit 2821  
May 30, 2003

  
Hoanganh Le  
Primary Examiner